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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 John Armstrong,

10 Plaintiff,

11 v.

12 General Motors LLC, et al.,

13 Defendants.
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No. CV-20-00284-PHX-ROS

ORDER

15 Plaintiff requests leave to amend his complaint to add Isuzu Motors America, LLC,
16 as a defendant. (Doc. 46). The current defendant, General Motors LLC, did not file an
17 opposition. General Motors did, however, file a motion seeking to stay this case while
18 Plaintiff appeals the dismissal for lack of personal jurisdiction of another company, Isuzu
19 Motors Limited. (Doc. 48). Based on the lack of opposition, the motion to amend will be
20 granted. But under the applicable test, General Motors is not entitled to a stay.

21 As noted by the Ninth Circuit, “being required to defend a suit, without more, does
22 not constitute” the requisite type of “of hardship or inequity” to support a stay of the type
23 General Motors seeks. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1112 (9th Cir. 2005).
24 General Motors claims that, absent a stay, there is a risk of “duplicative discovery requests”
25 and it “*may* be required to navigate international law in order to obtain discovery
26 responses.” (Doc. 48 at 3) (emphasis added). But, at present, General Motor’s concerns
27 appear speculative, especially considering the addition of Isuzu Motors America, LLC, as
28 a defendant. Plaintiff has not identified significant prejudice he will suffer should the case

1 be stayed and whether to grant a stay presents a closer question when, as here, the suit is
2 seeking “damages for past harm,” not injunctive relief. *Lockyer*, 398 F.3d at 1112. But,
3 in the present circumstances, Plaintiff’s entitlement to a speedy resolution outweighs
4 General Motor’s speculative concerns regarding complicated or duplicative discovery. *See*
5 Fed. R. Civ. P. 1 (requiring rules be employed “to secure the just, speedy, and inexpensive
6 determination” of the matter).

7 Accordingly,

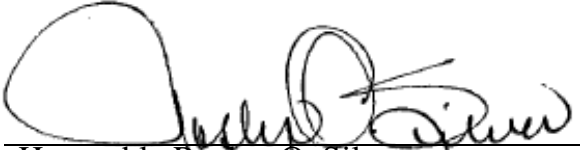
8 **IT IS ORDERED** the Motion to Amend (Doc. 46) and Motion for Summary
9 Disposition (Doc. 51) are **GRANTED**. No later than **May 20, 2021**, Plaintiff shall file his
10 amended complaint.

11 **IT IS FURTHER ORDERED** the Motion to Stay (Doc. 48) is **DENIED**.

12 **IT IS FURTHER ORDERED** the Motion to Expedite (Doc. 53) is **DENIED AS**
13 **MOOT**.

14 Dated this 17th day of May, 2021.

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Honorable Roslyn O. Silver
Senior United States District Judge